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TREASURY DEPARTMENT.

Bureau of Customs.

[T. D. 49467]

CUSTOMS REGULATIONS AMENDED—RELEASE OF SEIZED PROPERTY UPON PAYMENT OF APPRAISED DOMESTIC VALUE

GENERAL PRIOR APPROVAL TO ACCEPTANCE OF OFFERS TO PAY APPRAISED DOMESTIC VALUE OF SEIZED PROPERTY AND TO THE RELEASE OF SUCH PROPERTY IN CERTAIN CASES

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in sections 614 and 624, Tariff Act of 1930, (U. S. C., title 19, secs. 1614 and 1624, respectively) and section 251, Revised Statutes, (U. S. C., title 19, sec. 66), article 1138, Customs Regulations of 1937,¹ is hereby amended as follows:

A new paragraph, designated (b), reading as follows, is added:

"(b) When the appraised domestic value of property seized under the customs laws does not exceed \$5,000, and the collector is satisfied that the claimant making a written offer to pay such value has, in fact, a substantial interest therein, approval is hereby granted and the collector is hereby authorized to accept such offer and to release such property, provided that its importation is not prohibited by law and that the claimant or his attorney executes an assent to forfeiture and a waiver of further proceedings on customs Form 4607. In any case where the collector is not satisfied that the proponent has a substantial interest in the seized property or for any other reason he believes that it would not be in the interest of the United States to accept the offer, the procedure outlined in paragraph (c) of this article will be followed."

The present paragraph (b) is redesignated (c) and is amended by deleting the first two words "The application" and by inserting in lieu thereof the phrase "Applications not covered by the preceding paragraph."

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved: March 18, 1938.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 38-863; Filed, March 25, 1938; 9:41 a. m.]

¹ 2 F. R. 1990 (DI).

[T. D. 49469]

CUSTOMS REGULATIONS AMENDED—ILLUSTRATIONS OF POSTAGE STAMPS

PERMITTING PRINTING OF BLACK-AND-WHITE ILLUSTRATIONS OF UNITED STATES AND FOREIGN POSTAGE STAMPS FOR PHILATELIC PURPOSES

To Collectors of Customs and Others Concerned:

Pursuant to section 2 of the act of Congress approved January 27, 1938 (Public No. 421, 75th Congress), authorizing the printing of black-and-white illustrations of United States and foreign postage stamps for philatelic purposes, and the authority contained in section 161 of the Revised Statutes (U. S. C., title 5, sec. 22) and section 624 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1624), article 691 of the Customs Regulations of 1937¹ is hereby amended as indicated below.

Paragraph (g) is amended to read as follows:

(g) United States Code, title 18, sec. 350, as amended by section 2 of the act approved January 27, 1938:

That (a) nothing in sections 161, 172, and 220 of the Criminal Code, as amended, or in any other provision of law, shall be construed to forbid or prevent the printing, publishing, or importation, or the making or importation of the necessary plates for such printing or publishing, for philatelic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of—

(1) foreign revenue stamps if from plates so defaced as to indicate that the illustrations are not adapted or intended for use as stamps;

(2) foreign postage stamps; or

(3) such portion of the border of a stamp of the United States as may be necessary to show minor distinctive features of the stamp so illustrated, but all such illustrations shall be at least four times as large as the portion of the original United States stamp so illustrated.

(b) Notwithstanding any other provision of law, the Secretary of the Treasury, subject to the approval of the President, may, upon finding that no hindrance to the suppression of counterfeiting and no tendency to bring into disrepute any obligation or other security of the United States will result, by regulations, permit, to the extent and under such conditions as he may deem appropriate, the printing, publishing or importation or the making or importation of the necessary plates for such printing, or publishing, for philatelic purposes.

¹ 2 F. R. 1884 (DI).



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telic purposes in articles, books, journals, newspapers, or albums (including the circulars or advertising literature of legitimate dealers in stamps or publishers of or dealers in philatelic or historical articles, books, journals, or albums), of black and white illustrations of canceled or uncanceled United States postage stamps. The Secretary, subject to the approval of the President, may amend or repeal such

regulations at any time. Such regulations, and any amendment or repeal thereof, shall become effective upon publication thereof in the FEDERAL REGISTER or upon such date as may be specified therein if later than the date of publication. All findings of fact made hereunder shall be final and conclusive and shall not be subject to review.

A new paragraph is added reading as follows:

(h) Under regulations approved by the President on February 14, 1938,¹ the printing, publishing, and importation, and the making and importation of the necessary plates for such printing and publishing, for philatelic purposes in articles, books, journals, newspapers, and albums (including the circulars and advertising literature of legitimate dealers in stamps and publishers of and dealers in philatelic and historical articles, books, journals, and albums) of black and white illustrations of canceled and uncanceled United States postage stamps are permitted, provided that such illustrations are of a size less than three-quarters or more than one and one-half, in linear dimension, of each part of such stamps.

Paragraph (h) is redesignated (i) and amended by inserting the words "or the regulations referred to in paragraph (h)" after the number "350" in line four.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved: March 18, 1938.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 38-864; Filed, March 25, 1938; 9:41 a. m.]

[T. D. 49470]

CUSTOMS REGULATIONS AMENDED—ANTIDUMPING

ACTION BY APPRAISER WHERE NO FINDING OF DUMPING HAS BEEN PUBLISHED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 407 of the Emergency Tariff Act of 1921 (U. S. C., title 19, sec. 173), article 790 (1) of the Customs Regulations of 1937² is hereby amended by inserting the words "on customs Form 6439" after the word "Secretary" in line 3.

[SEAL]

JAMES H. MOYLE,
Commissioner of Customs.

Approved: March 21, 1938.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 38-865; Filed, March 25, 1938; 9:41 a. m.]

[T. D. 49471]

COUNTERVAILING DUTIES—OBSOLETE TREASURY DECISIONS RELATING TO COUNTERVAILING DUTIES BY REASON OF BOUNTIES ON CODFISH ROE FROM FRENCH FISHERIES, SLAUGHTER CATTLE AND BEEF FROM THE UNION OF SOUTH AFRICA AND LIVESTOCK FROM THE MANDATE TERRITORY OF SOUTH WEST AFRICA, AND COAL FROM SPAIN, REVOKED

To Collectors of Customs and Others Concerned:

Pursuant to the authority contained in section 303 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1303) the following

¹ 3 F. R. 449 (DI).

² 2 F. R. 1900 (DI).

treasury decisions relating to countervailing duties by reason of bounties on certain commodities are revoked:

T. D. Number	Date	Commodity
37088 39746	Mar. 31, 1917 July 20, 1923	Certain codfish roe from French fisheries. Slaughter cattle and beef from the Union of South Africa and livestock from the Mandate Territory of South West Africa.
39830	Oct. 19, 1923	Coal from Spain.

[SEAL]

H. A. BENNER,

Acting Commissioner of Customs.

APPROVED: March 22, 1938.

STEPHEN B. GIBBONS,

Acting Secretary of the Treasury.

[P. R. Doc. 38-866; Filed, March 25, 1938; 9:41 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Order No. 37]

IN THE MATTER OF CALLING A PUBLIC HEARING TO MAKE AN IMMEDIATE INVESTIGATION TO DETERMINE WHAT SPECIAL REGULATIONS MAY BE APPLICABLE TO RADIO STATIONS ENGAGED IN CHAIN OR OTHER BROADCASTING MAY BE REQUIRED IN THE PUBLIC INTEREST, CONVENIENCE, OR NECESSITY

The Commission at a Special Meeting held March 18, 1938, adopted the following Order:

Whereas, under the provisions of Section 303 of the Communications Act of 1934 as amended "the Commission, from time to time, as public convenience, interest, or necessity requires, shall—(1) Have authority to make special regulations applicable to radio stations engaged in chain broadcasting;" and,

Whereas the Commission has not at this time sufficient information in fact upon which to base regulations regarding contractual relationships between chain companies and network stations, multiple ownership of radio broadcast stations of various classes, competitive practices of all classes of stations, networks and chain companies, and other methods by which competition may be restrained or by which restricted use of facilities may result;

Now, therefore, it is ordered, That the Federal Communications Commission undertake an immediate investigation to determine what special regulations applicable to radio stations engaged in chain or other broadcasting are required in the public interest, convenience, or necessity; such investigation to include an inquiry into the following specific matters, as well as all other pertinent and related matters including those covered in the Report on Social and Economic Data prepared by the Engineering Department of the Federal Communications Commission and filed with the Commission on January 20, 1938:

1. The contractual rights and obligations of stations engaged in chain broadcasting, arising out of their network agreements.
2. The extent of the control of programs, advertising contracts and other matters exercised in practice by stations engaged in chain broadcasting.
3. The nature and extent of network program duplication by stations serving the same area.
4. Contract provisions in network agreements providing for exclusive affiliation with a single network and also provisions restricting networks from affiliation with other stations in a given area.
5. The extent to which single chains or networks have exclusive coverage in any service area.

6. Program policies adopted by the various national and other networks and chains, with respect to character of programs, diversification, and accommodation of program characteristics to the requirements of the area to be served.

7. The number and location of stations licensed to or affiliated with each of the various national and other networks. The number of hours and the specified time which such networks control over the station affiliates and the number of hours and the specified time actually used by such networks.

8. The rights and obligations of stations engaged in chain broadcasting so far as advertisers having network contracts are concerned.

9. Nature of service rendered by each station licensed to a chain or network organization, particularly with respect to amount of program origination for network purposes by such stations.

10. Competitive practices of stations engaged in chain broadcasting as compared with such practices in the broadcasting industry generally.

11. Effect of chain broadcasting upon stations not affiliated with or licensed to any chain or network organization.

12. Practices or agreements in restraint of trade or furtherance of monopoly in connection with chain broadcasting.

13. Extent and effects of concentration of control of stations locally, regionally or nationally in the same or affiliated interests, by means of chain or network contracts or agreements, management contracts or agreements, common ownership or other means or devices, particularly in so far as the same tends toward or results in restraint of trade or monopoly.

It is further ordered, That hearings be held in connection with such investigation at such times and places as the Commission shall designate.

It is further ordered, That a copy of this order be posted in the office of the Secretary and that a copy of the same be mailed to each licensee of a broadcast station and to each chain and network organization.

By the Commission.

[SEAL]

T. J. SLOWIE, *Secretary.*

[P. R. Doc. 38-867; Filed, March 25, 1938; 9:47 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 24th day of March A. D. 1938.

Commissioners: Garland S. Ferguson, Jr., Chairman; Charles H. March, Ewin L. Davis, William A. Ayres, Robert E. Freer.

[Docket No. 2663]

IN THE MATTER OF DAY-LITE ILLUMINATING CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered, That W. W. Sheppard, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, March 30, 1938, at ten

o'clock in the forenoon of that day (central standard time) in Room 1123, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report.

By the Commission:

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 38-878; Filed, March 25, 1938; 10:05 a. m.]

RAILROAD RETIREMENT BOARD.

REGULATIONS GOVERNING DESIGNATION OR CHANGE OF BENEFICIARY PURSUANT TO SECTION 5 OF THE RAILROAD RETIREMENT ACT OF 1937 AND SECTION 202 OF PUBLIC NUMBER 162, 75TH CONGRESS, APPROVED JUNE 24, 1937

Pursuant to the authority conferred by section 10 of the Railroad Retirement Act of 1937 the Railroad Retirement Board hereby prescribes the following rules and regulations:

1. Annuity payments due an individual under the *Railroad Retirement Act of 1935* but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 5 of such Act; otherwise they shall be paid to such person or persons as the deceased may have designated, or if there be no designation, to the legal representative of the deceased. A designation by the deceased to be valid must be made by him in writing on the prescribed Form AA-11, entitled "Designation or Change of Beneficiary," and must be received by the Railroad Retirement Board prior to the deceased's death. If the person or persons designated by the deceased do not survive him, the annuity payments shall be made to the legal representative of the deceased.

2. Any individual who was an employee after December 31, 1936, may designate the person or persons whom he wishes to receive any death benefit payable under section 5 of the *Railroad Retirement Act of 1937*. Such designation to be valid must be made by such individual in writing on the prescribed Form AA-11, entitled "Designation or Change of Beneficiary," and must be received by the Railroad Retirement Board prior to the individual's death. If the person or persons designated to receive a death benefit die before the death benefits become payable, such benefits shall be paid to the designator's legal representative.

3. A revocation or change of designation of beneficiary, or a designation of an additional or new beneficiary or beneficiaries, may be made at any time and without the knowledge or consent of the previous beneficiary or beneficiaries, but to be valid must be made by the designator in writing on the prescribed Form AA-11, entitled "Designation or Change of Beneficiary," and must be received by the Railroad Retirement Board prior to the designator's death.

4. Where a writing, other than Form AA-11, signed by the designator is received by the Board prior to the designator's death, in which a clear and unambiguous designation of beneficiary or revocation or change of designation is made in substantially the same manner as that provided on Form AA-11, and the designator dies without executing Form AA-11, the designation, revocation or change shall be given the same effect as if executed on Form AA-11.

5. No effect shall be given to a designation of beneficiary or revocation or change of designation which does not bear the signatures of two witnesses, neither of whom is named as beneficiary, unless the execution of the designation, revocation or change by the designator is proved to the satisfaction of the Board.

6. Where more than one person is designated as beneficiary, each beneficiary shall receive an equal share, unless the percentage to be paid to each beneficiary is specified in which case each beneficiary shall receive only the percentage specified.

7. Any designation of beneficiary or revocation or change of designation heretofore filed with the Board under section

5 of the Railroad Retirement Act of 1937 and section 202 of Public Number 162, 75th Congress, approved June 24, 1937, if clear and unambiguous, shall be given effect although not executed on Form AA-11, entitled "Designation or Change of Beneficiary," but in all other respects shall be subject to the above regulations numbered 1, 2, 3, 5, and 6.

8. Annuity payments due an individual under the Railroad Retirement Act of 1937 but not yet paid at death shall be paid to a surviving spouse if such spouse is entitled to an annuity under an election made pursuant to the provisions of section 4 of such Act; otherwise they shall be paid to the same individual or individuals who may be entitled to receive any death benefit that may be payable under the provisions of section 5 of such Act and the above regulations numbered 2, 3, 4, 5, 6, and 7 and shall be paid in the same proportion that such death benefits are so payable.

By direction of the Board:

[SEAL]

R. B. BRONSON, *Secretary*.

MARCH 22, 1938.

[F. R. Doc. 38-879; Filed, March 25, 1938; 10:21 a. m.]

RURAL ELECTRIFICATION ADMINISTRATION.

[Administrative Order No. 220]

ALLOCATION OF FUNDS FOR LOANS

MARCH 21, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
New York 8018A1 Tompkins.....	\$250,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-868; Filed, March 25, 1938; 9:47 a. m.]

[Administrative Order No. 221]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

I hereby amend Administrative Order No. 147¹ by rescinding the \$10,000 allotted to Georgia 8063 Rabun.

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-869; Filed, March 25, 1938; 9:47 a. m.]

[Administrative Order No. 222]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

I hereby amend Administrative Order No. 200² by rescinding the \$10,000 allotted to Colorado 8014W1 Alamosa.

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-870; Filed, March 25, 1938; 9:47 a. m.]

[Administrative Order No. 223]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

I hereby amend Administrative Order No. 194³ by rescinding the \$41,000 allotted to North Carolina 8021G1 Sampson.

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-871; Filed, March 25, 1938; 9:47 a. m.]

¹ 2 F. R. 2612 (DI).

² 3 F. R. 600 (DI).

³ 3 F. R. 552 (DI).

[Administrative Order No. 224]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

I hereby amend Administrative Order No. 182¹ by rescinding the \$55,000 allotted to Michigan 8033G Charlevoix.

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-872; Filed, March 25, 1938; 9:47 a. m.]

[Administrative Order No. 225]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

I hereby amend Administrative Order No. 168² by rescinding the \$73,000 allotted to Pennsylvania 8013B Tioga.

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-873; Filed, March 25, 1938; 9:48 a. m.]

[Administrative Order No. 226]

AMENDMENT OF ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

I hereby amend Administrative Order No. 198³ by rescinding the \$34,000 allotted to Florida 8016G1 Sumter.

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-874; Filed, March 25, 1938; 9:48 a. m.]

[Administrative Order No. 227]

ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Kansas 8008A2 Allen.....	\$4,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-875; Filed, March 25, 1938; 9:48 a. m.]

[Administrative Order No. 228]

ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Wisconsin 8037A2 Trempeleau.....	\$5,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-876; Filed, March 25, 1938; 9:48 a. m.]

¹ 3 F. R. 233 (DI).² 2 F. R. 3113 (DI).³ 3 F. R. 600 (DI).

[Administrative Order No. 229]

ALLOCATION OF FUNDS FOR LOANS

MARCH 23, 1938.

By virtue of the authority vested in me by the provisions of Section 4 of the Rural Electrification Act of 1936, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Indiana 8001A2 Greene.....	\$4,000

JOHN M. CARMODY, *Administrator*.

[F. R. Doc. 38-877; Filed, March 25, 1938; 9:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of March, A. D., 1938.

IN THE MATTER OF AN OFFERING SHEET FILED BY SOUTHWEST ROYALTIES COMPANY, RESPONDENT, COVERING PRODUCING LANDOWNERS' ROYALTY INTERESTS IN THE PAN AMERICAN-RICHARDSON-SAGARIN-ERWIN TRACT

ORDER CONSENTING TO WITHDRAWAL OF OFFERING SHEET AND TERMINATING PROCEEDING

Southwest Royalties Company, having filed on February 10, 1938, with the Securities and Exchange Commission, an offering sheet for the purpose of obtaining an exemption from registration for the securities described therein under Regulation B of the General Rules and Regulations under the Securities Act of 1933, as amended; and

The said Southwest Royalties Company having filed with the Securities and Exchange Commission an application for an order terminating the effectiveness of said offering sheet together with an affidavit that all persons on whose behalf said offering sheet has been filed and to whom copies thereof have been delivered, have been notified in writing of the intention of such person to terminate the effectiveness of said filing, and it appearing that termination of the effectiveness of the filing of the offering sheet as requested is not inconsistent with the public interest,

It is ordered, Pursuant to Rule 356 of Regulation B of the General Rules and Regulations promulgated by the Commission under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, terminated as of the date of the entry of this order.

It is further ordered, That the Order for Hearing and Order Designating Trial Examiner heretofore entered¹ in this proceeding be, and hereby is, revoked, and said proceeding terminated.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 38-880; Filed, March 25, 1938; 11:38 a. m.]

¹ 3 F. R. 679 (DI).

